

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-6, 8-27, 29-37, 39-46 are pending in the application, with claim 1, 11, 22, 32, and 43 being independent. Claims 7, 17, 28, and 38 have been canceled without prejudice or disclaimer, and their subject matter has been incorporated into their respective independent claims. Claims 43-46 have been added by this amendment, which do not add any new subject matter.

Interview Summary

Applicants' representative would like to thank the Examiner, Madeleine Nguyen, for the personal interview that was conducted on June 1, 2004. During the interview, Applicants' representative discussed the distinctions between the present invention and the cited art.

Drawings

Applicants respectfully request that the Examiner indicate in any future Office Action whether or not the drawings that were filed on July 27, 2000 have been accepted (see item 10 of the Office Action Summary).

Claim Rejections Under 35 USC §103

The Examiner rejected: claims 1-3, 5-7, 11-13, 15-18, 22-24, 26-34, and 36-42 under 35 USC §103(a) as being unpatentable over *Kumada* (US 6,337,922); claims 8-10 and 19-21 under 35 U.S.C. §103(a) as being unpatentable over *Kumada* and further in view of *Hibi* (US 5,359,437); and claims 4, 14, 25, 35 under 35 U.S.C. §103(a) as being unpatentable over *Kumada* and further in view of *Agarwal et al* (US 6,509,910). These rejections are respectfully traversed insofar as they pertain to the presently pending claims.

Independent claim 1 is directed to a method of displaying original image data that was generated relative to a first color space by an output device that converts image data of a second color space to a visually-perceptible analog thereof. Original image data that was generated according to a first color space is received from a provider, over a communication channel. Tag data representing parameters of the first color space along with the image data is received from the provider over a communication channel. The output device automatically converts the original image data into the second color space according to the tag data to produce converted image data. Then, the output device converts the converted image data into a visually-perceptible analog thereof, wherein the output device is a monitor, a projector, or a printer.

Kumada is directed to a device that performs color matching in a network system using a communication device that communicates

with a network server that stores device profiles and color management modules.

Applicants respectfully submit that the Examiner failed to establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion of motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference must teach or suggest all the claim limitations, see *In re Vaeck*, 947 F.2d 48, 20 USPQ2d 1438 (Fed.Cir.1991).

Specifically, the cited art fails to teach or suggest at least the features that an output device converts original image data into a second color space according to tag data to produce converted image data and then converts this converted image data into a visually-perceptible analog thereof, wherein the output device is a monitor, a projector, or a printer, as recited in the independent claims. More specifically, *Kumada*, for example, does not teach that image data is converted by either the monitor or the printer according to tag data and then displays this data, e.g., converts the image data into a visually-perceptible analog thereof.

Referring to col. 5, lines 15-20 of *Kumada*, it is taught that "a color matching process on image data in the image file is

performed by the network terminal 1 in accordance with a characteristic of the monitor and the processed data is displayed on the monitor," emphasis added. As alluded to above, *Kumada* provides absolutely no teaching that an output device, such as a monitor, (a) converts the image data according to tag data and then (b) converts the image data into a visually-perceptible analog thereof, e.g., displays the converted image data. Thus, the cited art does not teach or suggest all of the claim features and a *prima facie* case of obviousness cannot be substantiated.

Claims 2-10, 12-21, 23-31, and 33-42 are dependent claims, which should be considered allowable at least for depending from an allowable base claim.

Accordingly, in view of the above discussion, Applicants respectfully request that the Examiner withdraw the rejections.

New claims 43-46 should be considered allowable, because the cited art fails to teach or suggest the combination of elements including at least that an image display apparatus converts original image data from a first color space into a second color space on the basis of the tag data and that the image display apparatus then visually displays the converted image data.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is,

therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. 51,011) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

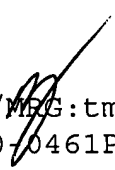
Respectfully submitted,

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